The Municipal Board

Annual Report 2007

Manitoba

THE MUNICIPAL BOARD OF MANITOBA

1144 - 363 Broadway
Winnipeg, Manitoba R3C 3N9

February 25, 2008

Honourable Steve Ashton
Minister of Intergovernmental Affairs
Room 301 - Legislative Building
Winnipeg, MB R3C 0V8

Dear Minister:

In accordance with Section 106 of *The Municipal Board Act*, I am pleased to submit the Annual Report of The Municipal Board for the year ending December 31, 2007.

Yours Respectfully,

Peter Diamant
Peter G. Diamant
Chair

THE MUNICIPAL BOARD

ANNUAL REPORT FOR THE YEAR ENDING

DECEMBER 31, 2007

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REMARKS FROM THE CHAIR

The Municipal Board is established under *The Municipal Board Act* and, under Section 106(1), is required to report annually to the Minister of Intergovernmental Affairs on the activities of the Board for the previous year.

The full complement of the Board, as of December 31, 2007, is 35 Members, including the Chair, Vice Chair and 5 Acting Chairs. The Board holds regular meetings of the Acting Chairs to keep Acting Chairs and Members informed of the complex issues facing the Board. David Gisser has been appointed as the full time Vice Chair. David, with his experience in administrative law and his knowledge of assessment matters, will be a welcomed addition in assisting the Board to deal with the increased complexity of the outstanding appeals.

A summary of the applications made to the Board over the past year is set out on page 9 of this Report. As of January 1, 2007, there were 1,104 outstanding applications, appeals and referrals, of which 1,025 were Winnipeg Assessment Appeals. During the year, 497 new matters were received and 651 matters were dealt with leaving 950 outstanding applications, appeals and referrals as of December 31, 2007.

The Board continues its commitment to education and training for Board members. Each of the past three years, the Manitoba Council of Administrative Tribunals (MCAT) has held an annual conference and a decision writing course for members of the various boards and tribunals. Many of the members of the Board have attended the conferences and all of the Acting Chairs have participated in a decision writing course.

The Board has duties and responsibilities assigned to it under a number of Acts of the Legislature. The majority of the Board's activities, however, are directed towards Assessment Appeals under *The Municipal Assessment Act* and *The City of Winnipeg Charter*. Of the 1,601 applications, appeals and referrals before the Board during 2007, 1,405, or 87.8%, were Appeals respecting the assessment and classification of property. Of those Appeals, 1,329 were for properties in The City of Winnipeg.

The primary challenge facing the Board continues to be to deal effectively with the outstanding number of Winnipeg assessment appeals. While there has been a modest decrease in the number of appeals since the general reassessment in 2005, the vast majority of appeals are for high value commercial properties. The hearings are multi-day, they deal with complex issues, the parties usually are represented by counsel, and there has been an increase in the number of pre-hearing conferences to deal with production of documents and procedural matters. In order to reduce the backlog, the Board will continue with the Case Management strategy initiated during the previous assessment cycle.

The number of hearings and referrals relating to *The Planning Act* and *The Municipal Act* has remained constant. The Board did not hold any inquires of its own motion in 2007, nor did it issue any licenses, permits or certificates. The fees collected by the Board are summarized on page 39. The Board continues to expand and improve its Website, www.gov.mb.ca/municipalboard, to assist applicants in preparing and presenting their appeals. The Rules and Regulations are being revised to clarify the procedures, and the Board is reviewing its policy on municipal financial By-laws.

In conclusion, I wish to express my thanks and appreciation to the Members of the Board for their co-operation and support. The Members have responded to the increase in the complexity and length of hearings with dedication and commitment to the process. I also would like to thank the former Vice Chair, Denis Guénette, whose positive approach and commitment to the Board during his three years as Vice Chair will be missed.

As Chair, I must acknowledge the significant role of the Administration and Staff in ensuring that the Board functions smoothly and efficiently. The Staff's hard work plays an important part in the Board meeting the challenges it faces. I thank them for their contribution to the success of The Municipal Board in carrying out its mandate.

Peter Diamant

Peter G. Diamant
Chair

REMARQUES DU PRÉSIDENT

La Commission municipale est établie en vertu de la *Loi sur la Commission municipale* et, conformément au paragraphe 106(1) de cette loi, elle doit faire rapport tous les ans au ministre des Affaires intergouvernementales sur ses activités au cours de l'année qui vient de s'écouler.

Au 31 décembre 2007, la Commission municipale comptait 35 membres, notamment le président, le vice-président et cinq présidents suppléants. La Commission organise régulièrement des réunions des présidents suppléants afin de tenir les présidents suppléants et les autres membres au courant des questions complexes dont elle doit s'occuper. M. David Gisser a été nommé vice-président à plein temps. Avec son expérience en droit administratif et sa connaissance des questions d'évaluation, M. Gisser est une excellente recrue et sera en mesure d'aider la Commission à traiter les appels toujours plus complexes en attente.

On trouvera, à la page 9 du présent rapport, un sommaire des demandes soumises à la Commission au cours de l'année passée. Au 1er janvier 2007, 1 104 demandes, appels et renvois étaient en instance devant la Commission, dont 1 025 appels interjetés contre l'évaluation fixée par la Ville de Winnipeg. Durant l'année, la Commission a été saisie de 497 nouvelles affaires et a traité 651 demandes, ce qui a laissé en tout, au 31 décembre 2007, 950 demandes, appels et renvois en instance.

La Commission poursuit son investissement dans l'éducation et la formation de ses membres. Au cours des trois dernières années, le Manitoba Council of Administrative Tribunals (conseil des tribunaux administratifs manitobains) a organisé une conférence annuelle et a offert un cours de rédaction de décisions à l'intention des membres des divers tribunaux, conseils et commissions. De nombreux membres de la Commission ont participé à ces conférences et tous les présidents suppléants ont suivi un cours de rédaction de décisions.

Des fonctions et des responsabilités sont conférées à la Commission par un certain nombre de lois adoptées par l'Assemblée législative. La majorité des activités de la Commission sont toutefois axées sur les appels liés à l'évaluation de biens déposés en vertu de la *Loi sur l'évaluation municipale* et de la *Charte de la Ville de Winnipeg*. Des 1 601 demandes, appels et renvois devant la Commission durant 2007, 1 405, soit 87,8%, étaient des appels liés à l'évaluation et à la classification de biens. De ces appels, 1 329 visaient des biens dans la Ville de Winnipeg.

Le principal défi de la Commission est encore de donner suite rapidement aux nombreux appels en instance interjetés contre l'évaluation fixée par la Ville de Winnipeg. Bien qu'il y ait eu une modeste diminution du nombre d'appels depuis la réévaluation globale de 2005, la vaste majorité des appels sont liés à des propriétés commerciales de valeur élevée. Les appels dont s'occupe la Commission durent plusieurs jours et sont complexes, les parties étant généralement représentées par des avocats et il y a eu une hausse du nombre de conférences préparatoires aux audiences pour régler les questions de procédure et de présentation de documents. Afin de réduire le nombre d'appels en instance, la Commission poursuivra la stratégie de gestion des causes établie durant le cycle d'évaluation précédent.

Le nombre d'audiences et de renvois liés à la *Loi sur l'aménagement du territoire* et à la *Loi sur les municipalités* est demeuré constant. En 2007, la Commission n'a pas mené d'enquêtes de son propre chef et n'a pas non plus délivré de licences, de permis ou de certificats. On trouvera à la page 39 du présent rapport le sommaire des droits perçus par la Commission. Le site Web de la Commission, à l'adresse www.gov.mb.ca/municipalboard (en anglais seulement), continu d'être élargi et amélioré afin d'aider les requérants à préparer et à présenter leurs appels. Les règles et les règlements sont en cours de révision afin de clarifier la procédure et la Commission révise également sa politique relative aux arrêtés municipaux de nature financière.

En terminant, j'aimerais exprimer ma gratitude à tous les membres de la Commission pour leur collaboration et leur appui. Confrontés à l'augmentation de la complexité et de la durée des audiences, ils se sont acquittés de leurs fonctions avec dévouement et persévérance. Je tiens aussi à remercier le vice-président sortant, M. Denis Guénette, pour son approche positive et son engagement au cours des trois années qu'il a consacrées à la Commission en tant que vice-président.

En tant que président, je me dois de saluer le rôle important joué par la direction et le personnel afin d'assurer le fonctionnement harmonieux et efficace de la Commission. C'est en grande partie grâce à leurs efforts soutenus que la Commission peut relever les défis qui se présentent à elle. Je les remercie de leur contribution qui permet à la Commission d'exécuter son mandat avec succès.

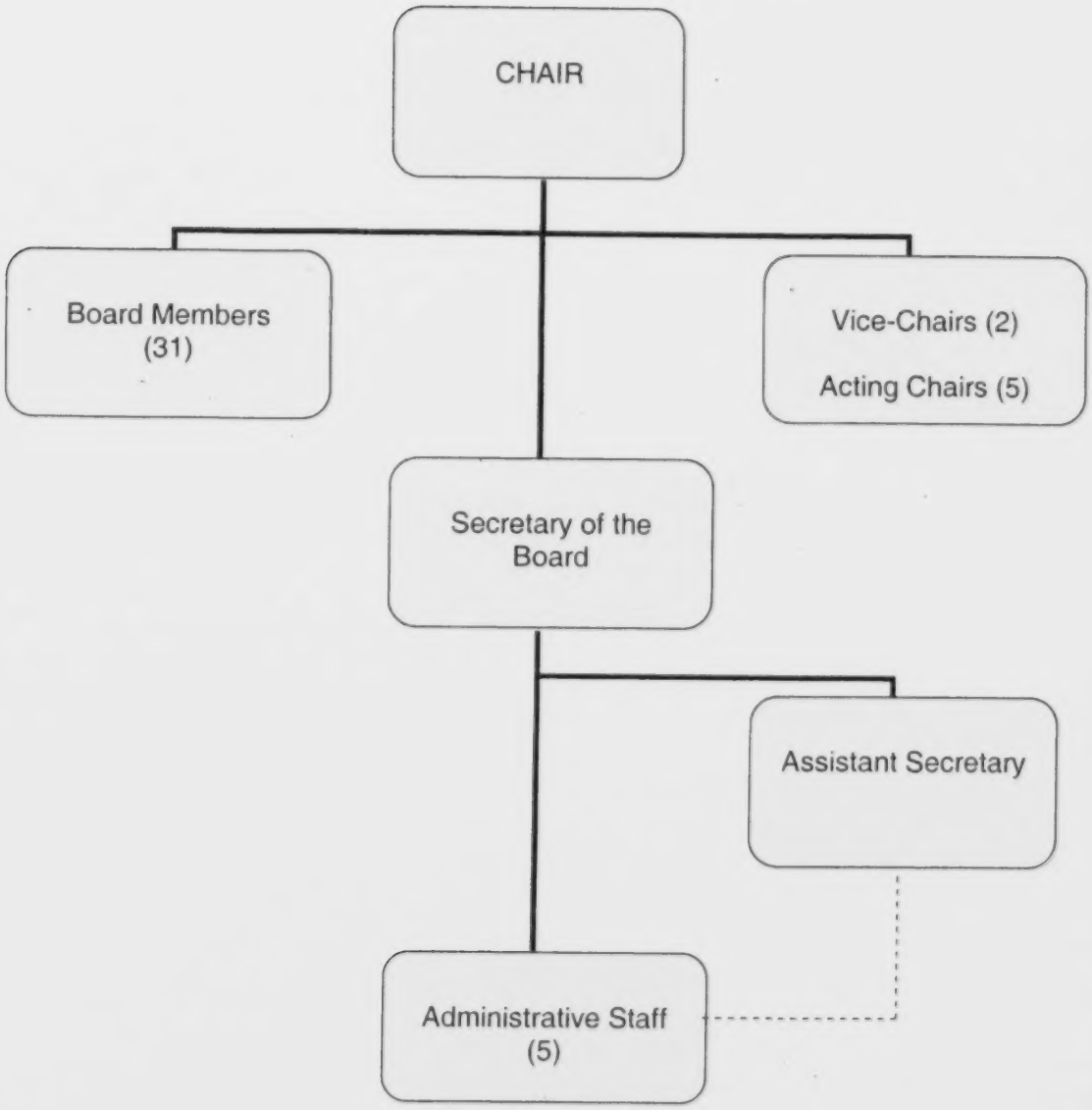
Le président,

Peter G. Diamant

THE MUNICIPAL BOARD

ORGANIZATION CHART

2007



THE MUNICIPAL BOARD OF MANITOBA

ROLE

Section 15(2) of *The Municipal Board Act* states:

"The board shall sit at such times and places within the province as the chairman may designate; and it shall conduct its proceedings in such manner as may seem to it most convenient for the speedy and effectual dispatch of business".

MISSION STATEMENT

To deal with matters that come before the Board in a fair, impartial and timely manner.

GOALS

- *To process appeals and applications as expeditiously as possible.*
- *To conduct hearings in accordance with legislative procedures and natural justice for all parties involved.*
- *To render readable, reliable and quality decisions in a timely manner.*
- *To communicate with the general public on the role of the Board and the appeal process.*
- *To review and update Board policies and procedures to ensure service is provided in a timely manner and in accordance with the applicable legislation.*
- *To review and update administrative procedures.*

THE MUNICIPAL BOARD OF MANITOBA

Peter G. Diamant, Chair

MEMBERS (2007)

Inongé Aliaga LaBun, Winnipeg
Bill Barlow, Gimli
John Blewett, Winnipeg
Stuart Briese, Langford
Grant Buchanan, The Pas
George Corbett, Winnipeg
Douglas Dobchuk, Winnipeg
Neil Harden, Winnipeg
Ed Hart, Minitonas
William Hinther, Winnipeg
Jim Husiak, Winnipeg
Cyril Keeper, Winnipeg
Don Kille, Brandon
Leonard Kimacovich, Winnipeg
Robert G. Loiselle, Winnipeg
Nora Losey, Winnipeg
Budd Mager, Lac du Bonnet
Greg Mandzuk, Winnipeg
Ross Martin, Winnipeg
Monique Mulaire, Winnipeg
Rod Murphy, Thompson
Jim Neil, Winnipeg
Russell Newton, Neepawa
Jack Nicol, Dugald
Charlotte Onski, Winnipeg
Chris Pawley, Selkirk
Arthur Proulx, Winnipeg
Garth Rice, Brandon
Leona Schroeder, Winnipeg
Meir Serfaty, Winnipeg
Wendy Sigmar, Winnipeg
Michelle Smith, Winnipeg
Darlene Swiderski, Selkirk
Frank Thibedeau, Powerview
Sudesh K. Treon, Winnipeg
Marilyn Walder, Winnipeg

Denis Guénette, Vice Chair (until September 30, 2007)
David Gisser, Vice Chair (effective October 1, 2007)
Rose Gibbons, Secretary of the Board

EMPLOYEES

Assistant Secretary — Laurette Greenlay
Administrative Secretary — Mary Jarowec
Administrative Secretary — Pat Markotjohn
Administrative Secretary — Elaine Pociuk
Administrative Secretary — Shelley Riopka
Administrative Secretary — Leona Van Osch

SUMMARY OF CASE MANAGEMENT FILES (2006 AND 2007)

	2006	2007
Number of Files as at January 1, 2006	32	0
New files as at January 1, 2006	0	0
	32	0

Number of Files Disposed of:

	2006	2007
Resolved	22	0
Withdrawn	8	0
Proceed to Hearing	2	0
Number of Files Scheduled for hearing	31	0
Number of Files Scheduled for hearing, and		
- Resolved prior to Hearing	26	0
- Withdrawn prior to Hearing	3	0

Total Number of Files Disposed of at December 31st	32	0
Number of Outstanding Files to be scheduled at December 31st	0	0

SUMMARY OF APPLICATIONS, APPEALS AND REFERRALS (2006 & 2007)

CONSOLIDATED SUMMARY OF ACTIVITY

A summary of all Applications, Appeals and Referrals set forth on pages 11 to 31.

	2006	2007
Applications, Appeals and Referrals Outstanding as at January 1st	1,234	1,104
New Applications, Appeals and Referrals Received	760	497
	1,994	1,601

Applications, Appeals and Referrals Disposed of:

	2006	2007		
Applications Approved and Appeals Allowed	507	408		
Applications Rejected and Appeals Dismissed	97	46		
Reports and Recommendations Submitted	10	5		
Applications, Appeals and Referrals Withdrawn and/or Closed by Minute	276	192		
			890	651
Applications, Appeals and Referrals Outstanding as at December 31st			**1,104**	**950**

MISCELLANEOUS ACTS

The Municipal Board has responsibilities under other Statutes, but under which it has had no applications or active files in 2007.

The Acts are as follows:

City of Winnipeg Charter, S.M. 2002, c.39

The Expropriation Act, R.S.M. 1987, c.E190

The Health Services Insurance Act, R.S.M. c.H35

The Heritage Resources Act, S.M. 1985-86, c.10 - Cap. H39.1

The Highway Traffic Act, S.M. 1985-86, c.3 - Cap. H60

The Public Schools Act, R.S.M. 1987, c.P250

The Water Resources Administration Act, R.S.M. 1987, c.W70

The Conservation Districts Act, R.S.M. 1987, c. C175

SUMMARY OF APPLICATIONS, APPEALS AND REFERRALS (2006 & 2007)

THE MUNICIPAL ACT, S.M. 1996, c. 58 - Cap. M225

Applications to amalgamate two or more municipalities or for the annexation by a municipality of land from another municipality: Section 34

	2006	2007
Applications Outstanding as at January 1st	3	1
Applications Received	2	1
	5	2

Applications Disposed of:

	2006	2007		
Reports and Recommendations Submitted to the Minister of Intergovernmental Affairs	4	0		
Applications Withdrawn and/or Closed by Minute	0	0		
			4	0
Applications Outstanding as at December 31st			1	2

SUMMARY OF APPLICATIONS, APPEALS AND REFERRALS (2006 & 2007)

THE MUNICIPAL ACT, S.M. 1996, c. 58 - Cap. M225

Applications for approval of By-law respecting Municipalities to make a loan. Section 180(1)

	2006	2007
Applications Outstanding as at January 1st	0	0
Applications Received	0	1
	0	1

Applications Disposed of:

	2006	2007
Applications Approved	0	1
Applications Rejected	0	0
Applications Withdrawn and/or Closed by Minute	0	0
	0	1
Applications Outstanding as at December 31st	0	1

SUMMARY OF APPLICATIONS, APPEALS AND REFERRALS (2006 & 2007)

THE MUNICIPAL ACT, S.M. 1996, c. 58 - Cap. M225

Applications for approval of borrowing: Section 172 *et seq.*

	2006	2007
Applications Outstanding as at January 1st	0	0
Applications Received	28	23
	28	23

Applications Disposed of:

	2006	2007
Applications Approved	28	22
Applications Rejected	0	0
Applications Withdrawn and/or Closed by Minute	0	0

	28	22
Applications Outstanding as at December 31st	**0**	**1**

SUMMARY OF APPLICATIONS, APPEALS AND REFERRALS (2006 & 2007)

THE MUNICIPAL ACT, S.M. 1996, c. 58 – Cap. M225

Applications for approval of By-laws respecting local improvements: Sections 311 & 320

	2006	2007
Applications Outstanding as at January 1st	2	3
Applications Received	50	71
	52	74

Applications Disposed of:

	2006	2007
Applications Approved	48	65
Applications Rejected	0	0
Applications Withdrawn and/or Closed by Minute	1	0
	49	65
Applications Outstanding as at December 31st	**3**	**9**

SUMMARY OF APPLICATIONS, APPEALS AND REFERRALS (2006 & 2007)

THE MUNICIPAL ACT, S.M. 1996, c. 58 – Cap. M225

Applications for approval of By-laws respecting Special Services: Sections 312 & 320

	2006	2007
Applications Outstanding as at January 1st	0	1
Applications Received	23	25
	23	26

Applications Disposed of:

	2006	2007
Applications Approved	22	26
Applications Rejected	0	0
Applications Withdrawn and/or Closed by Minute	0	0
	22	26
Applications Outstanding as at December 31st	1	0

SUMMARY OF APPLICATIONS, APPEALS AND REFERRALS (2006 & 2007)

THE MUNICIPAL ACT, S.M. 1996, c.58 - Cap. M225

Application to review a By-law that divides a Municipality into Wards and establishes ward boundaries or a By-law that eliminates wards or changes the number of wards or ward boundaries. Section 89(1)

	2006	2007
Applications outstanding as at January 1st	0	0
Applications received as at January 1st	1	0
	1	0

Applications Disposed of:

	2006	2007		
Applications Allowed	0	0		
Application Dismissed	1	0		
Applications Referred back to Council for further consideration	0	0		
Applications Withdrawn and/or Closed by Minute	0	0		
			1	0
Applications Outstanding as at December 31st			0	0

SUMMARY OF APPLICATIONS, APPEALS AND REFERRALS (2006 & 2007)

THE MUNICIPAL ASSESSMENT ACT, S.M. 1989-90, c.24 - Cap. M226

Appeals respecting the assessment and classification of property in The City of Winnipeg: Section 56(2)

		2006	2007
	Appeals Outstanding as at January 1st	1,021	1,025
*	Appeals Received	537	304
		1,558	1,329
	Appeals Disposed of:		
**	Appeals Allowed	304	233
	Appeals Dismissed	61	23
	Appeals Withdrawn and/or Closed by Minute	168	178
		533	434
	Appeals Outstanding as at December 31st	**1,025**	**895**

* Includes appeals by the Assessor for The City of Winnipeg as well as by ratepayers.

** Includes all appeals where the assessment has been increased or decreased, or the classification changed.

SUMMARY OF APPLICATIONS, APPEALS AND REFERRALS (2006 & 2007)

THE MUNICIPAL ASSESSMENT ACT, S.M. 1989-90, c.24 - Cap. M226

Appeals respecting the assessment and classification of property outside The City of Winnipeg: Section 56(2)

		2006	2007
	Appeals Outstanding as at January 1st	174	53
*	Appeals Received	72	23
		246	76

Appeals Disposed of:

		2006	2007		
**	Appeals Allowed	77	47		
	Appeals Dismissed	19	2		
	Appeals Withdrawn and/or Closed by Minute	97	4		
				193	53
	Appeals Outstanding as at December 31st			**53**	**23**

* Includes appeals by the Provincial Municipal Assessor as well as by ratepayers.

** Includes all appeals where the assessment has been increased or decreased, or the classification changed.

SUMMARY OF APPLICATIONS, APPEALS AND REFERRALS (2006 & 2007)

THE MUNICIPAL BOARD ACT, R.S.M. 1987, c.M240

Applications to review, rescind, change, alter or vary a decision or order made by the Board: Section 46(3)

	2006	2007
Applications Outstanding as at January 1st	2	2
Applications Received	7	17
	9	19

Applications Disposed of:

	2006	2007
Orders Revised	3	1
Applications Rejected	4	16
Applications Withdrawn and/or Closed by Minute	0	0
	7	17
Applications Outstanding as at December 31st	2	2

SUMMARY OF APPLICATIONS, APPEALS AND REFERRALS (2006 & 2007)

THE MUNICIPAL BOARD ACT, R.S.M. 1987, c.M240

Applications to vary, cancel, or substitute a Building Restriction Caveat: Section 104(1) *et seq.*

	2006	2007
Applications Outstanding as at January 1st	2	0
Applications Received	6	5
	8	5

Applications Disposed of:

	2006	2007
Applications Granted	7	5
Applications Rejected	0	0
Applications Withdrawn and/or Closed by Minute	1	0
	8	5
Applications Outstanding as at December 31st	0	0

SUMMARY OF APPLICATIONS, APPEALS AND REFERRALS (2006 & 2007)

THE MUNICIPAL BOARD ACT, R.S.M. 1987, c.M240

Applications for Cancellation of Plans of Subdivision: Section 95(1)

	2006	2007
Applications Outstanding as at January 1st	1	0
Applications Received	0	0
	1	0

Applications Disposed of:

	2006	2007
Applications Granted	1	0
Applications Rejected	0	0
Applications Withdrawn and/or Closed by Minute	0	0
	1	0
Applications Outstanding as at December 31st	**0**	**0**

SUMMARY OF APPLICATIONS, APPEALS AND REFERRALS (2006 & 2007)

THE MUNICIPAL BOARD ACT, R.S.M. 1987, c.M240

Complaint that a Local Authority, Corporation or any person has unlawfully done or unlawfully failed to do, or is about to unlawfully do or not to do something relating to a matter over which The Municipal Board has jurisdiction: Section 34

	2006	2007
Applications Outstanding as at January 1st	0	1
Applications Received	1	1
	1	2

Applications Disposed of:

	2006	2007
Applications Granted	0	0
Applications Rejected	0	0
Applications Withdrawn and/or Closed by Minute	0	1

	0	1
Applications Outstanding as at December 31st	1	1

SUMMARY OF APPLICATIONS, APPEALS AND REFERRALS (2006 & 2007)

THE PLANNING ACT, R.S.M. 1987, c.P80

Applications to establish a Planning District or to withdraw from a Planning District referred to the Board by the Minister: Section 12(1) *et seq.*

	2006	2007
Referrals Outstanding as at January 1st	0	0
Referrals Received	0	0
	0	0

Referrals Disposed of:

	2006	2007		
Reports and Recommendations Submitted to the Minister of Intergovernmental Affairs	0	0		
Referrals Withdrawn and/or Closed by Minute	0	0		
			0	0
Referrals Outstanding as at December 31st			**0**	**0**

SUMMARY OF APPLICATIONS, APPEALS AND REFERRALS (2006 & 2007)

THE PLANNING ACT, R.S.M. 1987, c.P80

Objections to a By-law to adopt and/or amend a Development Plan or Basic Planning Statement filed with the Minister and referred to the Board: Section 30(4) *et seq.*

	2006	2007
Referrals Outstanding as at January 1st	4	3
Referrals Received	5	4
	9	7

Referrals Disposed of:

	2006	2007		
Reports and Recommendations Submitted to the Minister of Intergovernmental Affairs	6	5		
Referrals Withdrawn and/or Closed by Minute	0	1		
			6	6
Referrals Outstanding as at December 31st			3	1

SUMMARY OF APPLICATIONS, APPEALS AND REFERRALS (2006 & 2007)

THE PLANNING ACT, R.S.M. 1987, c.P80

Applications for approval of Zoning By-laws: Section 43(1) *et seq.*

	2006	2007
Applications Outstanding as at January 1st	2	2
Applications Received	9	3
	11	5

Applications Disposed of:

	2006	2007
Applications Approved	7	4
Applications Rejected	0	0
Applications Withdrawn and/or Closed by Minute	2	1
	9	5
Applications Outstanding as at December 31st	**2**	**0**

SUMMARY OF APPLICATIONS, APPEALS AND REFERRALS (2006 & 2007)

THE PLANNING ACT, R.S.M. 1987, c.P80

Appeals from decisions of the Approving Authority (subdivision of land): Section 68(1) *et seq.*

	2006	2007
Appeals Outstanding as at January 1st	8	6
Appeals Received	12	9
	20	15

Appeals Disposed of:

	2006	2007		
Appeals Allowed	6	1		
Appeals Dismissed	4	4		
Appeals Withdrawn and/or Closed by Minute	4	4		
			14	9
Appeals Outstanding as at December 31st			6	6

SUMMARY OF APPLICATIONS, APPEALS AND REFERRALS (2006 & 2007)

THE WATER RIGHTS ACT, R.S.M. 1988, c.W280

Appeals against an order or decision of the Minister under this Act: Section 24

	2006	2007
Appeals Outstanding as at January 1st	13	6
Appeals Received	3	7
	16	13

Appeals Disposed of:

	2006	2007
Appeals Allowed	0	0
Appeals Dismissed	8	1
Appeals Withdrawn and/or Closed by Minute	2	2
	10	3
Appeals Outstanding as at December 31st	**6**	**10**

SUMMARY OF APPLICATIONS, APPEALS AND REFERRALS (2006 & 2007)

THE SPECIAL SURVEY ACT, R.S.M. 1987, c.S190

Complaints against Plan of Special Survey: Section 6

	2006	2007
Applications Outstanding as at January 1st	1	1
Applications Received	1	0
	2	1

Applications Disposed of:

	2006	2007
Applications Allowed	0	0
Applications Dismissed	0	0
Applications Withdrawn and/or Closed by Minute	1	1
	1	1
Referrals Outstanding as at December 31st	1	0

SUMMARY OF APPLICATIONS, APPEALS AND REFERRALS (2006 & 2007)

THE PUBLIC LIBRARIES ACT, R.S.M. 1987, c.P220

Applications for the authorization of municipal By-laws establishing Regional Public Libraries: Section 22(2)

	2006	2007
Applications Outstanding as at January 1st	0	0
Applications Received	2	2
	2	2

Applications Disposed of:

	2006	2007
Applications Approved	2	2
Applications Rejected	0	0
Applications Withdrawn and/or Closed by Minute	0	0

	2	2
Applications Outstanding as at December 31st	0	0

SUMMARY OF APPLICATIONS, APPEALS AND REFERRALS (2006 & 2007)

THE REAL PROPERTY ACT, R.S.M. 1988, c.R30

Application to dispose with signature of non-consenting owner/caveator in regard to plan of subdivision: Section 117(g)

	2006	2007
Applications Outstanding as at January 1st	1	0
Applications Received	0	1
	1	1

Applications Disposed of:

	2006	2007
Applications Approved	1	1
Applications Rejected	0	0
Applications Withdrawn and/or Closed by Minute	0	0
	1	1
Applications Outstanding as at December 31st	0	0

SUMMARY OF APPLICATIONS, APPEALS AND REFERRALS (2006 & 2007)

THE REGIONAL WASTE MANAGEMENT AUTHORITIES ACT, S.M. 1993, c.11 Cap. R38

Application to authorize capital expenditures and bonds, debentures or other securities: Section 7(1)

	2006	2007
Applications Outstanding as at January 1st	0	0
Applications Received	1	0
	1	0

Applications Disposed of:

	2006	2007
Applications Approved	1	0
Applications Rejected	0	0
Applications Withdrawn and/or Closed by Minute	0	0
	1	0
Applications Outstanding as at December 31st	0	0

CAPITAL BORROWING OF LOCAL AUTHORITIES

The 2007 Municipal borrowing activity increased by over 30% from 2006 both in terms of the number of applications received and the dollar amount borrowed. Borrowing purposes for the two years are summarized as follows:

	2006	2007
New Applications	60	80
Borrowing Authorized		
Water and Sewer	$23,218,020	$15,838,747
Streets, Sidewalks, Lighting	4,046,295	6,485,732
Municipal Buildings, Libraries, Community Centres, Arenas	3,500,000	23,611,000
Machinery and Equipment	3,694,354	852,700
Natural Gas	0	0
Land Purchases and Development	970,000	900,000
Other	2,261,667	2,501,000
TOTAL	$37,690,336	$50,189,179

Details of the amounts of borrowing authorized for each individual municipality are shown on pages 34 to 38 (City of Winnipeg borrowing, which is not subject to Municipal Board approval, is not included in the above figures).

The amounts of debentures issued and marketed in 2007 rose over 50% in comparison to 2006 and are summarized as follows:

PURCHASER	2006	2007
Credit Unions	$ 1,553,413	$8,379,296
Banks	3,350,000	2,388,103
General Public	258,861	0
Fiscal Agent	1,400,545	635,200
Municipal Reserve Funds	534,276	572,535
Minister of Finance	9,564,930	13,863,718
TOTAL	$16,662,025	$25,838,852

The interest rates charged by some lenders for municipal debentures issued in 2007 have increased slightly from 2006 rates. A comparison of average interest rates, weighted according to each class of purchase is summarized as follows:

PURCHASER	2006	2007
Credit Unions	5.51%	5.67%
Banks	5.59%	5.25%
General Public	5.125%	N/A%
Fiscal Agent	4.415%	5.44%
Municipal Reserve Funds	5.62%	5.19%
Minister of Finance	5.42%	5.59%

The Municipal Board issued a total of 200 municipal borrowing By-law Board Orders. These Board Orders authorized, but were not limited to, the following:

a) authorization of certain projects and the borrowing of monies;

b) the issuance of debentures;

c) the reduction or increase of the authorized borrowing; and

d) the cancellation of authorized but unissued borrowing.

MUNICIPAL BORROWING BY-LAWS AUTHORIZED IN 2007

LOCAL AUTHORITY	BOARD ORDER NO.	RATE %	TERM YEARS	WATER AND SEWER	MUNICIPAL BUILDING, ETC.	NATURAL GAS	LAND PURCHASE & DEVELOPMENT	ROADS/ PAVING	MACHINERY & EQUIPMENT	OTHER PROJECTS
Altona, Town	E-07-160	7.50	10	75,000.00						
Altona, Town	E-07-166	7.50	10					822,500		
Beausejour, Town	E-07-057	10.00	10					292,299.70		
Beausejour, Town	E-07-058	10.00	10					91,890.80		
Beausejour, Town	E-07-059	10.00	10					28,460.60		
Beausejour, Town	E-07-060	10.00	10					108,564.40		
Carman, Town	E-07-133	8.250	10		325,000.00					
Carman, Town	E-07-134	8.250	20	850,000.00						
Carman, Town	E-07-140	8.250	10	400,000.00						
Dufferin, R.M.	E-07-007	6.50	5	150,000.00						
Dufferin, R.M.	E-07-094	6.50	10	120,000.00						
Glenella, R.M.	E-07-135	8.00	20							200,000.00
Grahamdale, R.M.	E-07-129	0.00	6				600,000.00			
Grandview, Town	E-07-028	7.50	20	1,250,000.00						
Grey, R.M.	E-07-021	7.00	10	86,000.00						
Grey, R.M.	E-07-070	7.00	10	492,000.00						
Hanover, R.M.	E-07-069	8.00	20	2,400,000.00						
Hanover, R.M.	E-07-151	8.00	5					48,000.00		
Hanover, R.M.	E-07-153	8.00	5					65,000.00		
Killarney-Turtle Mountain, R.M.	E-07-039	7.00	20		2,500,000.00					

MUNICIPAL BORROWING BY-LAWS AUTHORIZED IN 2007

Local Authority	Board Order No.	Rate %	Term Years	Water and Sewer	Municipal Building, etc.	Natural Gas	Land Purchase & Development	Roads/ Paving	Machinery & Equipment	Other Projects
Langford, R.M.	E-07-147	8.00	10							210,000.00
Lansdowne, R.M.	E-07-109	7.00	15							200,000.00
Leaf Rapids, Town	E-07-088	8.00	20				300,000.00			
MacDonald, R.M.	E-07-113	8.00	15	298,810.00						
MacDonald, R.M.	E-07-181	6.50	5	126,200.00						
MacGregor, Village	E-07-001	7.875	20	1,250,000.00						
Morden, Town	E-07-022	7.50	10					60,000.00		
Morden, Town	E-07-047	7.50	10					280,500.00		
Morden, Town	E-07-148	7.50	10					110,000.00		
Morden, Town	E-07-158	7.50	10					485,000.00		
Morris, R.M.	E-07-117	5.50	15		525,000.00					
Morris, R.M.	E-07-175	7.00	10	100,000.00						
Morris, R.M.	E-07-177	5.875	10	65,000.00						
Neepawa, Town	E-07-081	8.00	20	1,500,000.00						
Neepawa, Town	E-07-149	8.00	15							1,191,000.00
North Norfolk, R.M.	E-07-032	6.50	10	957,850.00						
North Norfolk, R.M.	E-07-196	6.50	10	215,000.00						
Ochre River, R.M.	E-07-011	7.00	10		240,000.00					
Park, R.M.	E-07-122	7.50	5		450,000.00					
Portage la Prairie, City	E-07-152	7.00	5					600,000.00		

MUNICIPAL BORROWING BY-LAWS AUTHORIZED IN 2007

Local Authority	Board Order No.	Rate %	Term Years	Water and Sewer	Municipal Building, etc.	Natural Gas	Land Purchase & Development	Roads/ Paving	Machinery & Equipment	Other Projects
Portage la Prairie, City	E-07-162	7.00	15		10,000,000.00					
Portage la Prairie, R.M.	E-07-014	7.00	10	215,750.00						
Portage la Prairie, R.M.	E-07-161	7.00	15		8,000,000.00					
Portage la Prairie, R.M.	E-07-163	7.00	10	188,079.01						
Rhineland, R.M.	E-07-165	6.00	5					50,000.00		
Roblin, Town	E-07-150	7.00	20	343,000.00						
Rockwood, R.M.	E-07-198	6.50	15	1,350,000.00						
Roland, R.M.	E-07-033	6.50	10	32,000.00						
Rosedale, R.M.	E-07-138	7.00	20							700,000.00
Rossburn, Town	E-07-157	7.00	5	35,000.00						
Russell, Town	E-07-067	7.00	20	1,050,000.00						
Russell, Town	E-07-106	7.00	7					228,000.00		
St. Claude, Village	E-07-137	7.50	10						164,000.00	
Ste. Anne, Town	E-07-144	8.00	20					70,000.00		
Ste. Anne, Town	E-07-156	8.00	15					16,000.00		
Ste. Rose du Lac, Town	E-07-143	7.50	20	40,500.00						
Souris, Town	E-07-090	6.00	5	233,333.34						
Stanley, R.M.	E-07-101	6.125	7	104,135.70						

MUNICIPAL BORROWING BY-LAWS AUTHORIZED IN 2007

LOCAL AUTHORITY	BOARD ORDER NO.	RATE %	TERM YEARS	WATER AND SEWER	MUNICIPAL BUILDING, ETC.	NATURAL GAS	LAND PURCHASE & DEVELOPMENT	ROADS/ PAVING	MACHINERY & EQUIPMENT	OTHER PROJECTS
Stanley, R.M.	E-07-102	5.675	7	77,064.74						
Stanley, R.M.	E-07-103	6.125	7					15,621.79		
Stanley, R.M.	E-07-104	5.75	8	34,524.45						
Stanley, R.M.	E-07-105	5.375	10	26,000.00						
Stanley, R.M.	E-07-110	5.25	10	29,500.00						
Stanley, R.M.	E-07-167	6.00	3					313,895.00		
Stanley, R.M.	E-07-174	6.75	10	110,000.00						
Steinbach, City	E-07-023	7.00	5		1,500,000.00					
Steinbach, City	E-07-142	7.00	5					2,220,000.00		
Swan River, Town	E-07-048	8.00	5					45,000.00		
Swan River, Town	E-07-116	8.00	5	75,000.00						
Tache, R.M.	E-07-041	7.25	10					50,000.00		
Tache, R.M.	E-07-093	7.25	6						388,700.00	
Tache, R.M.	E-07-164	7.25	6						300,000.00	
Virden, Town	E-07-003	8.00	20	350,000.00						
Virden, Town	E-07-145	7.00	5					485,000.00		
Westbourne, R.M.	E-07-155	7.00	15	380,500.00						
Westbourne, R.M.	E-07-197	7.00	15	103,500.00						
Whitemouth, R.M.	E-07-178	7.00	10	80,000.00						
Winkler, City	E-07-168	6.00	15	45,000.00						
Winkler, City	E-07-176	6.00	15	600,000.00						

MUNICIPAL BORROWING BY-LAWS AUTHORIZED IN 2007

LOCAL AUTHORITY	BOARD ORDER NO.	RATE %	TERM YEARS	WATER AND SEWER	MUNICIPAL BUILDING, ETC.	NATURAL GAS	LAND PURCHASE & DEVELOPMENT	ROADS/ PAVING	MACHINERY & EQUIPMENT	OTHER PROJECTS
Winnipeg Beach, Town	E-07-096	7.00	10		71,000.00					

REVENUE
FOR THE 12 MONTH PERIOD ENDING
DECEMBER 31, 2007
(unaudited)

REVENUE

	Fees	2006	2007
	The Municipal Act	$ 23,243.00	$ 37,001.00
*	The Municipal Assessment Act	92,084.42	51,030.40
	The Planning Act	1,250.00	1,906.00
	Miscellaneous Acts	900.00	1,075.00
	Distribution of Board Orders, Xerox Recoveries, etc.	3,824.10	8,664.90
	GST	259.51	338.55
	TOTAL REVENUE	**$121,561.03**	**$100,015.85**
	Less Refunds	$ 37,880.00	52,488.00
	NET REVENUE	**$ 83,681.03**	**$ 47,527.85**

* This revenue is subject to Section 57(4) of *The Municipal Assessment Act* which requires the refund of fees to successful Appellants.